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**CRIMINAL No.**

**A 17 CR 172 SS**

**INDICTMENT**

**[Count 1: Conspiracy to Distribute and Possess with Intent to Distribute a Controlled Substance (Marijuana), in violation of Title 21, U.S.C., §§ 846 and 841(a)(1) and 841(b)(1)(B)(vii) [Both Defendants]; Count 2: Possession with Intent to Distribute a Controlled Substance (Methamphetamine), in violation of Title 21, U.S.C., §§ 841(a)(1) and 841(b)(1)(A)(viii) [Bankhead only]; Count 3: Felon in Possession of a Firearm, in violation of Title 18, U.S.C. § 922(g)(1) [Foy only]; Count 4: Possession of a Firearm with Obliterated Serial Number, in violation of Title 18, U.S.C., § 922(k) [Foy only]; and Count 5: Possession of Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18, U.S.C. § 924(c)(1) [Bankhead Only]]**

**Defendants,**

## THE GRAND JURY CHARGES:

**COUNT ONE**  
**Narcotics Conspiracy**  
**[21 U.S.C. §§ 846, 842(a)(1) and 841(b)(1)(B)(vii) and (viii)]**

Beginning in or about January 2011 and continuing until in or about April 2013, in the Western District of Texas and elsewhere, the Defendants,

**DAVERNE FOY and**  
**NATASHA BANKHEAD,**

did unlawfully, knowingly and willfully did combine, conspire, confederate, and agree with others known and unknown to the Grand Jury to possess with intent to distribute and distribute a controlled substance, which offense involved over 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I Controlled Substance. All in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B)(vii).

**COUNT TWO**  
**Possession with Intent to Distribute a Controlled Substance**  
**[21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(vii) and (viii)]**

On or about August 28, 2013, in the Western District of Texas, the Defendant,

**NATASHA BANKHEAD,**

did unlawfully, knowingly and willfully possess with intent to distribute a controlled substance, to wit, 50 grams or more of methamphetamine, a Schedule II Controlled Substance.

All in violation of Title 21, United States Code, Sections 841(a)(1), and 841(b)(1)(A)(viii).

**COUNT THREE**  
**Felon in Possession of a Firearm**  
**[18 U.S.C. § 922(g)(1)]**

On or about August 28, 2013 in the Western District of Texas and elsewhere, the  
Defendant,

**DAVERNE FOY,**

who having been convicted of a crime punishable by imprisonment for a term exceeding one year,  
did knowingly possess in and affecting interstate commerce, a firearm, to wit, a Smith and Wesson,  
model SW40VE, .40 caliber, semi-automatic pistol, bearing serial number DSH1428, which had  
been shipped and transported in interstate and foreign commerce, in violation of Title 18, United  
States Code, Section 922(g)(1).

**COUNT FOUR**  
**Possession of a Firearm with an Obliterated Serial Number**  
**[18 U.S.C. §922(k)]**

On or about August 28, 2013, in the Western District of Texas and elsewhere, the  
Defendant,

**DAVERNE FOY,**

knowingly possessed a firearm, to wit, a Smith and Wesson, model SW40VE, .40 caliber, semi-  
automatic pistol, bearing serial number DSH1428, which had been shipped and transported in  
interstate and foreign commerce, from which the manufacturer's serial number had been removed,  
altered and obliterated, in violation of Title 18, United States Code, Section 922(k) and 924(1)(B).

**COUNT FIVE**  
**Possession of a Firearm in Furtherance of a Drug Trafficking Crime**  
**[18 U.S.C. §924(c)(1)(A)]**

On or about August 28, 2013, in the Western District of Texas and elsewhere, the Defendant,

**NATASHA BANKHEAD,**

did knowingly possess a firearm, to wit, a North American Arms, model Mini Revolver, .22 caliber, pistol, bearing serial number V19138, in furtherance of a drug trafficking crime, for which she may be prosecuted in a court of the United States, to wit, Possession with Intent to Distribute a Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 18, United States Code, Sections 924(c)(1)(A).

**NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE**

**I. Forfeiture Statute for Controlled Substance Violations**  
**[21 U.S.C. §§ 853(a)]**

As a result of the criminal violations set forth in Counts One and Two of the Indictment, which are punishable by imprisonment for more than one year, the United States gives notice that it intends to forfeit, but is not limited to, the below-listed properties from Defendants Daverne Foy and Natasha Bankhead. Defendants shall forfeit all right, title, and interest in the below-described properties to the United States pursuant to FED. R. CRIM. P. 32.2 and 21 U.S.C. §§ 853(a)(1) and (2). Section 853 specifically provides:

**Title 21 U.S.C. § 853**

- (a) Any person convicted of a violation of this subchapter or subchapter II of this chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law—

- (1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

## **II. Forfeiture Statute for Firearm Violations**

[18 U.S.C. § 924(d)(1)]

As a result of the foregoing criminal violations set forth in Counts Three, Four, and Five, of the Indictment, the United States gives notice that it intends to forfeit, but is not limited to, the below-listed properties from Defendants Daverne Foy and Natasha Bankhead. Defendants shall forfeit all right, title, and interest in the below-described properties to the United States pursuant to FED. R. CRIM. P. 32.2 and 18 U.S.C. § 924(d)(1), as made applicable to criminal forfeiture by 28 U.S.C. § 2461(c). Section 924 specifically provides:

### **Title 18 U.S.C. § 924**

**(d)(1)** Any firearm or ammunition involved in or used in any knowing violation of . . . section 922 . . . or knowing violation of section 924 . . . shall be subject to seizure and forfeiture . . .

## **III. Personal Properties**

This Notice of Demand for Forfeiture includes, but is not limited to, the following:

- One Smith and Wesson, model SW40VE, .40 caliber, semi-automatic pistol, SN DSH1428;
- One North American Arms, model Mini Revolver, .22 caliber pistol, SN V19138; and
- Any and all firearms, ammunition, and/or accessories involved in or used in the commission of the criminal offense.

A TRUE BILL:

SIGNATURE REDACTED PURSUANT  
TO E-GOVERNMENT ACT OF 2002

\_\_\_\_\_  
FOREPERSON

RICHARD L. DURBIN, JR.  
United States Attorney

By:

A handwritten signature in black ink, appearing to read 'G. N. Sofer', is written over a horizontal line.

GREGG N. SOFER  
Assistant U. S. Attorney